

228-496

03-22-2011

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

March 22, 2011

Matthew Granahan
Nufarm Americas, Inc.
150 Harvester Drive, Suite 200
Burr Ridge, IL 60527

Subject: Amendment – Response to Agency’s 11/04/2010 & 11/18/10 letters
Bifenthrin 0.115% Granule Insecticide
EPA Reg. No. 228-496
Your submission dated December 21, 2010

Dear Mr. Granahan:

The labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, is acceptable subject to the comments listed below. Two (2) copies of the finished labeling must be submitted prior to releasing the product for shipment. A stamped copy of the label is enclosed for your records.

1. Re-instate “This pesticide is extremely toxic to fish and aquatic invertebrates” as the first sentence in the *Environmental Hazards* section.
2. On page 3 replace “Product can be applied just before planting or after plants emerge” with “Apply just before planting or after plants emerge” under *On Ornamentals & Flowers*.
3. On page 3 replace “A single application may be applied just prior to planting or after plants emerge and worked into ... etc” with “Apply a single application just prior to planting or after plants emerge and work into ... etc” under *Vegetable Gardens*.
4. On page 3 replace “This product can be applied to the vegetables listed below” with “Apply to the vegetables listed below”.
5. On page 6 under Option IB delete the following claims:
 - a. “Kills over 50 insects”
 - b. “One application ... season-long control

- 6. On page 7 under Option IB revise the following claims:
 - a. Replace "Kills [nuisance] pests/insects around home foundations" with "Kills listed [nuisance] pests/insects around home foundations".
 - b. Replace "Kills insects on contact [and keeps on killing] for [up to] 3 months" with "Kills listed insects by contact [and keeps on killing] for [up to] 3 months.
 - c. Replace "Kills chinch bugs, mole crickets, cutworms, billbugs, European crane fly, [and other listed lawn damaging/destroying] insects/pests [on contact]" with "Kills chinch bugs, mole crickets, cutworms, billbugs, European crane fly, [and other listed lawn damaging/destroying] insects/pests [by contact]".

If you have any questions regarding this action, please contact BeWanda Alexander at Alexander.bewanda@epa.gov or (703) 305-7460.

Sincerely,

Richard Gebken
Product Manager
Insecticide Branch
Registration Division (7505P)

Enclosure

ACCEPTED
with COMMENTS
In EPA Letter Dated
MAR 22 2011

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Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
registered under EPA Reg. No.

228-496

BIFENTHRIN 0.115% GRANULE INSECTICIDE

FOR RESIDENTIAL LAWN, HOME PERIMETER, ORNAMENTAL &
FLOWER GARDEN, AND HOME GARDEN USE

ACTIVE INGREDIENT:

Bifenthrin..... 0.115%

OTHER INGREDIENTS:..... 99.885%

TOTAL:..... 100.000%

Cis isomers 97% minimum, trans isomers 3% maximum.

**KEEP OUT OF REACH OF CHILDREN
CAUTION**

[SEE ADDITIONAL PRECAUTIONARY STATEMENTS ON BACK OF BAG.]
[SEE (BACK PANEL, BOOKLET, SIDE PANEL) FOR ADDITIONAL PRECAUTIONARY STATEMENTS.]

Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.
(If you do not understand the label, find someone to explain it to you in detail).

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300
For Medical Emergencies Only, Call (877) 325-1840

NOTE: Spanish language is optional

EPA REG. NO. 228-496
EPA EST. NO.

Manufactured For
NUFARM AMERICAS INC.
150 Harvester Drive
Burr Ridge, IL 60527



NET WEIGHT: ___ lbs / (___ kg)

000228-00496.20101221.MASTER

**PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS (AND DOMESTIC ANIMALS)
CAUTION - PRECAUCION**

Harmful if absorbed through skin. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

FIRST AID	
IF ON SKIN OR CLOTHING:	<ul style="list-style-type: none"> • Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15 to 20 minutes. • Call a poison control center or doctor for treatment advice.
IF IN EYES:	<ul style="list-style-type: none"> • Hold eye open and rinse slowly and gently with water for 15 to 20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-877-325-1840 for emergency medical treatment information.	
NOTE TO PHYSICIAN	
This product is a pyrethroid. If large amounts have been ingested, milk, cream or other digestible fats and oils may increase absorption and so should be avoided.	

ENVIRONMENTAL HAZARDS

To protect the environment, **DO NOT** allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help ensure that wind or rain does not blow or wash pesticide off the treatment area. Sweeping any product that lands on the driveway, sidewalk, or street, back onto the treated area of the lawn or garden will help to prevent run off to water bodies or drainage system.

OPTION IB. (Use on Lawns, Home Foundations/Perimeter Treatment, Ornamental and Flower Gardens, Vegetable Gardens)

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

In New York State, **DO NOT** apply to any grass or turf area (lawns) within 100 feet of a water body (lake, pond, river, stream, wetland, drainage ditch). In New York State, make a single repeat application of this product if there are signs of renewed insect activity, but not sooner than two weeks after the first application.

Apply this product directly to the lawn or garden area. Water treated area as directed on this label. **DO NOT** water to the point of run-off.

DO NOT make applications during rain. Application is prohibited directly into sewers or drains, or to any area like a gutter where drainage to sewers, storm drains, water bodies, or aquatic habitat can occur. **DO NOT** allow the product to enter any drain during or after application.

PRODUCT FACTS

INSECTS CONTROLLED

Use this product to kill and control:

Ants (including Carpenter, Red Harvester, Pavement, Odorous, Pyramid, Argentine, Pharaoh, Black Turf)

Armyworms (including Lawn Armyworm, Fall Armyworm)

Billbugs (including Bluegrass Billbug, Hunting Billbug)

Black Turfgrass Ataenius (adults) Bristletail

Centipedes

Chiggers

Chinch Bugs

Crickets

Cutworms (including Black Cutworm, Bronzed Cutworm, Granulate Cutworm, Variegated Cutworm) Dichondra Flea Beetle

Earwigs

European Crane Fly

Fiery Skipper

Fire Ants

Firebrat

Fleas

Fruitfly

Grasshopper

s Greenbug

Ground Beetles

Ground pearl

Leafhoppers

Lucerne Moth

Mealybugs

Millipedes

Mole Crickets (including Tawny Mole Cricket, Southern Mole Cricket, Short-

winged Mole Cricket)

Pillbugs

Seed Maggots

Ticks (including ticks that may transmit Lyme Disease)

Spiders

Springtails

Striped Grassworm

Two-lined Spittlebugs

Webworms (including Sod Webworm, Grass Webworm, Tropical Sod Webworm)

Weevils (including Hyperodes and Bluegrass)

Wireworms

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WHERE TO APPLY: Lawns, Around Home Foundations (Perimeter Treatment), Ornamental and Flower Gardens, and Vegetable Gardens.

WHEN TO APPLY: Apply early/proactively (in the spring/summer/fall) to prevent infestation. Otherwise, apply at the first sign of insect activity or damage.

HOW TO APPLY: See the specific pests for the use rate. Irrigating or watering by 0.1 to 0.5 inches immediately after application improves the effectiveness of this product.

On Lawns

- Using a spreader designed for application of granular materials, uniformly apply 1 to 2 lbs over 1,000 sq. ft.
- For mole cricket control, apply 2 to 4 lbs over 1,000 sq. ft. area.
- For 3 month control, apply 4 lbs of product for every 1,000 sq. ft.
- A 10- (20-) pound bag will treat up to 10,000 (20,000) sq. ft. area of lawn. [XX pound bag should treat XXXXX square feet.]

On Ornamentals & Flowers

- Apply 0.5 to 1 lb. evenly over each 500 sq. ft. area. Repeat if there are signs of renewed insect activity.
- Product can be applied just before planting or after plants emerge.

Vegetable Gardens

- A single application may be applied just prior to planting or after plants emerge and worked into the top 4 to 6 inches of soil. Use 1.0 lb of product for a 500 sq. ft. area.

Home Foundation/Barrier Treatment

Evenly apply a 2-foot wide band next to the house/home foundation. Use 0.5 to 1.0 lb for each 500 sq. ft. (2 ft. x 250 ft.).

****Food utensils such as tablespoons/teaspoons must not be used for food purposes after use in measuring pesticides.**

This product can be applied to the vegetables listed below:

CROP	DAYS TO WAIT TO HARVEST
Tomatoes, sweet corn	1
Green peas, sugar snap peas, snow peas, green beans (wax beans, snap beans), dry beans (black-eyed peas, cow pea), cucumber, gourds, muskmelon, pumpkin, squash, and watermelon	3
Artichoke	5
Broccoli, Chinese broccoli, cabbage, cauliflower, kohlrabi, Chinese mustard, eggplant, head lettuce, peppers (bell and non-bell)	7

SPREADER TIPS				
SPREADER	SPREADER SETTINGS Pounds of Product / 1,000 sq. ft.			DIRECTIONS
	1 lb* lb	2 lbs	4	
Scotts Drop Spreader	XX	XX	XX	Mow lawn first if grass is tall enough to touch the bottom of the spreader. First apply two header strips. Operate spreader the longest way of the lawn. Overlap wheel marks to ensure uniform coverage. Shut off spreader when you have reach the header strips or stopped.
Scotts EasyGreen® Rotary	XX	XX	XX	Slide shut-off lever to the right; application automatically starts and stops when you do. For complete coverage make each pass about 30 inches from the previous one, so some overlapping occurs.
Scotts SpeedyGreen® or Edgeguard® Rotary (For Broadcast Spreader.)	XX	XX	XX	Shut off spreader anytime you stop. For complete coverage make each pass about five feet from the previous one, so some overlapping occurs.

* 1 lb/1,000 sq. ft. is equivalent to 0.5 lb/500 sq. ft.

Use this product for the control of:
 Ants (including Carpenter, Red Harvester, Pavement, Odorous, Pyramid, Argentine, Pharaoh, Fire Ants)
 Armyworms
 Billbugs
 Centipedes
 Chinch Bugs

Crickets
 Cutworms
 Earwigs European
 Crane Fly
 Fleas
 Grasshoppers
 Leafhoppers
 Mealybugs

Millipedes
 Mole Crickets
 Sod Webworms (Lawn Moth)
 Spiders
 Ticks (including ticks that may transmit Lyme Disease)
 Weevils (including Hyperodes)

HOW TO USE

Insects (listed above [under INSECTS CONTROLLED]): Uniformly apply 1 to 2 pounds over a 1,000 sq. ft. area of lawn using a spreader designed for the application of granular materials. A 10-pound bag will treat a 5,000 sq. ft. to 10,000 sq. ft. area of lawn. [A 20-pound bag will treat a 10,000 sq. ft. to 20,000 sq. ft. area of lawn.] Best results are obtained if the treated area is thoroughly watered immediately after application.

For Centipedes, Millipedes, Pavement Ants: Uniformly apply 4 pounds over a 1,000 sq. ft. area of lawn. Best results are obtained if the treated area is thoroughly watered immediately after application.

For Mole Crickets: Uniformly apply 2 to 4 pounds over a 1,000 sq. ft. area of lawn. For best results, treat in late spring and water thoroughly immediately after application.

For Fire Ant Mounds: Uniformly apply 1 tablespoon or 3 teaspoons** of granules to the surface of each mound. For best results: 1) Apply in cool weather, 65 to 80° F, in early morning or late evening hours. 2) Avoid disturbing ants. 3) Treat new mounds as they appear. 4) Thoroughly water the treated area after application.

****Food utensils such as tablespoons/teaspoons must not be used for food purposes after use in measuring pesticides.**

SPREADER TIPS				
SPREADER	SPREADER SETTINGS Pounds of Product / 1,000 sq. ft.			DIRECTIONS
	1 lb*	2 lbs	4	
Scotts Drop Spreader	XX	XX	XX	Mow lawn first if grass is tall enough to touch the bottom of the spreader. First apply two header strips. Operate spreader the longest way of the lawn. Overlap wheel marks to ensure uniform coverage. Shut off spreader when you have reach the header strips or stopped.
Scotts EasyGreen® Rotary	XX	XX	XX	Slide shut-off lever to the right; application automatically starts and stops when you do. For complete coverage make each pass about 30 inches from the previous one, so some overlapping occurs.
Scotts SpeedyGreen® or Edgeguard® Rotary (For Broadcast Spreader.)	XX	XX	XX	Shut off spreader anytime you stop. For complete coverage make each pass about five feet from the previous one, so some overlapping occurs. Avoid applying this product on flower, vegetable and shrub plantings.

When using other spreaders, calibrate the spreader settings based on the manufacturer's recommendations.

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STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE: Keep out of reach of children and animals. Store in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. For rigid containers after partial use, replace lids and close tightly. For bags after partial use, reseal opened bag by folding top down and securing.

PESTICIDE DISPOSAL AND CONTAINER HANDLING:

Nonrefillable container. Do not reuse or refill this container. **If empty:** Place in trash or offer for recycling if available.

If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor (including toilet) or outdoor (including sewer) drain.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of the directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

(RV122110)

OPTIONAL MARKETING TEXT

- Insect Protection
- Lawn Insect Protection
- Treats 5,000 Square Feet for insect control
- Kills Listed Insects, Fleas & Ticks
- Treats up to 5,000 Square Feet for insect control
- Protects against listed damaging insects
- Low odor formula
- Easy-to-use granules
- Ready-to-spread granules
- Easy to apply
- Fire Ant Killer
- Kills mole crickets
- Kills listed outdoor pests in lawns and around homes
- Not harmful to lawn grasses
- Kills insects that cause your lawn to thin and turn brown
- Kills lawn-damaging insects that cause your lawn to thin and turn brown
- Kills fleas and ticks
- Kills ticks that may transmit Lyme Disease
- Corrects listed lawn insect problems (for grub control, use Scotts GrubEx)
- Controls listed lawn insect problems
- Apply at first signs of insect damage or activity
- Corrects listed lawn insect problems (for grub control, use Scott's GrubEx)
- Controls chinch bugs, sod webworms (lawn moth), fleas, ticks (including ticks that may transmit Lyme Disease), and other lawn pests listed on the back
- A 10-lb bag treats up to 10,000 sq. ft.
- Treats up to 10,000 sq. ft. – 100%/twice more than 5,000 sq. ft. bags (for 1 0# bag)
- 2 X More Coverage* – *vs. Standard 5,000 sq. ft. Bags
- Treats up to 20,000 sq. ft. – 100%/twice more than 10,000 sq. ft. bags (for 20# bag)
- Kills [listed insects/pests] above and/& below the [lawn] surface
- Kills listed insects in/& under the lawn
- Guaranteed kill or your money back
- Kills *[insert # depending on total # of listed pests]* listed insect pests
- Protects Lawns Against Listed Damaging Insects
- 100% Satisfaction Guaranteed or Your Money Back

OPTIONAL SPREADER INSTRUCTIONS

Spreading Instructions: Follow Application Directions in the table below. Calibrate the spreader settings based on the manufacturer's recommendations.

Calculating Total Lawn Area: LENGTH x WIDTH = TOTAL SQ. FT. then subtract NON-LAWN AREAS (House, Garden, Driveway)

Spreading Patterns: First spread the borders of your lawn. Then spread the center by spreading in straight line passes. Spread at a uniform walking speed to insure even coverage.

Optional - Abbreviated Warranty Language [due to packaging limitations]:

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

OPTION IB. Directions for Use for the ORTHO Group of The Scotts Company (Use on Lawns, Home Foundations/Perimeter Treatment, Ornamental and Flower Gardens, Vegetable Gardens)

- Kills in 24 hours
- Kills overnight
- Kills over 50 insects
- Use on residential lawns, home perimeters, ornamental & flower gardens, and vegetables
- Use on lawns, [ornamentals, vegetables] [&] as a barrier treatment around home foundations

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- Kills [nuisance] pests/insects around home foundations
- Use around outside of homes, porches and/& patios
- One application kills/controls for up to 3 months
- Long-lasting! [Up to] 3-month control
- Up to 3-month control
- Kills insects on contact [and keeps on killing] for [up to] 3 months
- Kills above and below the surface for [up to] 3 months
- Kills and/& prevents/protects for [up to] 3 months
- Keeps [on] killing for [up to] 3 months
- One application... season-long control
- Easy-To-Use
- For use on lawns, ornamentals, home perimeter/foundation, vegetables, and flower beds/gardens
- Kills chinch bugs, mole crickets, cutworms, billbugs, European crane fly, [and other listed lawn damaging/destroying] insects/pests [on contact]

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LABEL HISTORY

FILE NAME	REVISION MARK	COMMENTS
BIFENTHRIN 0.115%G	RV111709N-1	PRN 08-01, 07-01, 07-04, 98-10 Pyrethroid memo
000228-00496.20100914.EPA.NOTIFICATION.PRN98-10	RV091 410	PRN 98-10 Marketing and Spreader
000228-00496.20101104.MASTER_(RV110410)	RV110410	Made changes per EPA SAL 11/04/10
000228-00496.20101104.MASTER_(RV110410)	RV110410	Made Typo changes
000228-00496.20101121.MASTER	RV122110	Incorporated EPA Accepted Notification Nov 18, 2010